S.B.CIVIL SECOND APPEAL NO.262/2005

L.Rs. Of late Smt. Tagu Devi
vs.
Municipal Council, Pali and another.

DATE OF JUDGMENT ::: 3.1.2006

PRESENT

HON'BLE MR. PRAKASH TATIA, J.

Mr. RK Thanvi, for the appellant.

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Heard learned counsel for the appellant.

The plaintiff filed a suit for permanent injunction against the Municipal Council, Pali which was dismissed by the trial court vide judgment and decree dated 19.2.2003 against which the plaintiff preferred an appeal which was also dismissed by the first appellate court vide its judgment and decree dated 25.4.2005.

Admittedly, the plaintiff/appellant has no title to the property and the plaintiff sought regularisation of the plot but admittedly, the possession has not been regularised. The plaintiff failed to prove any right to seek injunction against the Municipal Council, Pali.

Two courts below carefully considered the facts and thereafter decided the issue against the appellant.

In view of the above, I do not find any substantial question of law involved in this appeal, therefore, this appeal deserves to be dismissed, hence, dismissed.

(PRAKASH TATIA), J.

S.Phophaliya